

HOLD-TRANS, APPEAL

**U.S. Bankruptcy Court
Northern District of Georgia (Atlanta)
Adversary Proceeding #: 20-06031-bem**

Assigned to: Chief Judge Barbara Ellis-Monro

Date Filed: 02/06/20

Lead BK Case: 10-61451

Lead BK Title: Shirley Lett,

Lead BK Chapter: 7

Demand: \$2000000

Nature[s] of Suit: 91 Declaratory judgment

11 Recovery of money/property – 542 turnover of property

68 Dischargeability – 523(a)(6), willful and malicious injury

62 Dischargeability – 523(a)(2), false pretenses, false representation, actual fraud

Plaintiff

Shirley White-Lett

456 North Saint Marys Lane

Marietta, GA 30064

represented by **Shirley White-Lett**
PRO SE

V.

Defendant

Bank of New York Mellon Corporation

TERMINATED: 12/14/2022

represented by **Alan Michael Hurst**

Akerman LLP

Suite 725

170 South Main Street

Salt Lake City, UT 84101

801-907-6900

Fax : 801-355-0294

Email: alan.hurst@akerman.com

TERMINATED: 12/14/2022

Chandler P. Thompson

Akerman LLP

Suite 725

170 South Main Street

Salt Lake City, UT 84101

801-907-6912

Fax : 801-355-0294

Email: chandler.thompson@akerman.com

TERMINATED: 12/14/2022

Defendant

Select Portfolio Servicing, LLC

represented by **Philip James George**
Holland & Knight LLP
Suite 1800

1180 West Peachtree Street, NW
 Atlanta, GA 30309
 404-817-8434
 Email: philip.george@hklaw.com

Grant E. Schnell
 Holland & Knight LLP
 1180 West Peachtree Street, NW
 Suite 1800
 Atlanta, GA 30309
 404-817-8560
 Fax : 404-881-0470
 TERMINATED: 09/02/2022

Defendant

***Newrez, LLC, dba Shellpoint Mortgage
 Servicing Incorporated***

represented by **Alan Michael Hurst**
 (See above for address)
LEAD ATTORNEY

Chandler P. Thompson
 (See above for address)

Filing Date	#	Docket Text
02/06/2020	<u>1</u>	Adversary case 20-06031. Complaint against Bank of New York Mellon Corporation , Select Portfolio Servicing, LLC , Newrez, LLC , 91 (Declaratory judgment) 11 (Recovery of money/property - 542 turnover of property) 68 (Dischargeability - 523(a)(6), willful and malicious injury) 62 (Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud) Filed by Shirley White-Lett (hd)
02/06/2020	<u>2</u>	Summons Issued on Bank of New York Mellon Corporation Answer Due 03/9/2020; Newrez, LLC Answer Due 03/9/2020; Select Portfolio Servicing, LLC Answer Due 03/9/2020 (hd)
02/07/2020	<u>3</u>	Notice of Case Reassignment to Honorable Barbara Ellis-Monro. Service by BNC. Entered on 2/7/2020. (related document(s) <u>1</u>) (ngs)
02/09/2020	<u>4</u>	Certificate of Mailing by BNC of Order and Notice Notice Date 02/09/2020. (Admin.) (Entered: 02/10/2020)
02/10/2020	<u>5</u>	Alias Summons Issued on Bank of New York Mellon Corporation Answer Due 03/11/2020; Newrez, LLC Answer Due 03/11/2020; Select Portfolio Servicing, LLC Answer Due 03/11/2020 (hd)
02/18/2020	<u>6</u>	Certificate of Service of Summons and Complaint for NewRez, LLC filed by Shirley White-Lett . (related document(s) <u>1</u> , <u>5</u>) (aam) Modified on 2/20/2020 (law). (Entered: 02/19/2020)
02/18/2020	<u>7</u>	Certificate of Service of Summons and Complaint for Select Portfolio Servicing, LLC filed by Shirley White-Lett . (related document(s) <u>1</u> , <u>5</u>) (aam) Modified on 2/20/2020 (law). (Entered: 02/19/2020)
02/18/2020	<u>8</u>	Certificate of Service of Summons and Complaint for Bank of New York Mellon filed by Shirley White-Lett . (related document(s) <u>1</u> , <u>5</u>) (aam) Modified on 2/20/2020 (law). (Entered: 02/19/2020)

03/13/2020		<u>9</u>	Motion to Extend Time to Answer Complaint. Counsel miscalculated deadline. filed by Chandler P. Thompson on behalf of Bank of New York Mellon Corporation, Newrez, LLC. (related document(s) <u>1</u>) (Thompson, Chandler) Modified on 3/13/2020 (dln).
03/13/2020		<u>10</u>	Answer to Adversary Complaint filed by Chandler P. Thompson on behalf of Bank of New York Mellon Corporation. (related document(s) <u>1</u>) (Thompson, Chandler)
03/13/2020		<u>11</u>	Answer to Adversary Complaint filed by Chandler P. Thompson on behalf of Newrez, LLC. (related document(s) <u>1</u>) (Thompson, Chandler)
03/16/2020		<u>12</u>	Order GRANTING Motion to Extend Time to File an Answer. Defendants Bank of New York Mellon Corporation and NewRez LLC d/b/a Shellpoint Mortgage Servicing shall have until March 24, 2020 to answer or respond to the complaint. (Related Doc # <u>9</u>) Service by BNC. Entered on 3/16/2020. (law)
03/16/2020		<u>13</u>	Motion to Extend Time to Answer Complain with Certificate of Service filed by Grant E. Schnell on behalf of Select Portfolio Servicing, LLC. (Schnell, Grant) Modified on 3/17/2020 (law).
03/17/2020		<u>14</u>	Order GRANTING Motion to Extend Time to Answer Complaint. Defendant Select Portfolio Servicing, LLC shall have until March 24, 2020 to answer or respond to the complaint. (Related Doc # <u>13</u>) Service by BNC. Entered on 3/17/2020. (law)
03/18/2020		<u>15</u>	Certificate of Mailing by BNC of Order on Motion to Extend Time Notice Date 03/18/2020. (Admin.) (Entered: 03/19/2020)
03/19/2020		<u>16</u>	Request for Issuance of Alias Summons on Bank of New York Mellon Corporation, Select Portfolio Servicing, LLC, Newrez, LLC, dba Shellpoint Mortgage Servicing Incorporated filed by Shirley White-Lett . (hd)
03/19/2020		<u>17</u>	Second Alias Summons Issued on Bank of New York Mellon Corporation Answer Due 04/20/2020; Newrez, LLC Answer Due 04/20/2020; Select Portfolio Servicing, LLC Answer Due 04/20/2020 (hd)
03/19/2020		<u>18</u>	Certificate of Mailing by BNC of Order on Motion to Extend Time Notice Date 03/19/2020. (Admin.) (Entered: 03/20/2020)
03/23/2020		<u>19</u>	Certificate of Services of Second Alias Summons and Complaint filed by Shirley White-Lett . (Attachments: (1) Select Portfolio Servicing, Inc, (2) Bank of New York Mellon, (3) New Rez, LLC dba Shellpoint Mortgage Servicing Company) (related document(s) <u>1</u> , <u>17</u>) (hd) (Entered: 03/24/2020)
03/24/2020		<u>20</u>	Second Motion for Extend Time to Answer Complaint with Certificate of Service filed by Grant E. Schnell on behalf of Select Portfolio Servicing, LLC. (Schnell, Grant) Modified on 3/25/2020 (law).
03/25/2020		<u>21</u>	Order DENYING Motion to Extend Time as Moot. (Related Doc # <u>20</u>) Service by BNC. Entered on 3/25/2020. (law)
03/27/2020		<u>22</u>	Certificate of Mailing by BNC of Order on Motion to Extend Time Notice Date 03/27/2020. (Admin.) (Entered: 03/28/2020)

04/20/2020		<u>23</u>	Final Motion for Extension of Time to Answer Complaint with Certificate of Service filed by Grant E. Schnell on behalf of Select Portfolio Servicing, LLC. (Schnell, Grant) Modified on 4/21/2020 (law).
05/05/2020		<u>24</u>	Order GRANTING Motion to Extend Time to Answer Complaint. Defendant Select Portfolio Servicing, LLC shall have until June 4, 2020 to answer or respond to the complaint. (Related Doc # <u>23</u>) Service by BNC. Entered on 5/5/2020. (law)
05/07/2020		<u>25</u>	Certificate of Mailing by BNC of Order on Motion to Extend Time Notice Date 05/07/2020. (Admin.) (Entered: 05/08/2020)
06/04/2020		<u>26</u>	Answer to Complaint filed by Grant E. Schnell on behalf of Select Portfolio Servicing, LLC. (Schnell, Grant)
06/10/2020		<u>27</u>	Order and Notice of Rule 26(f) Conference. Service by BNC. Entered on 6/10/2020. (related document(s) <u>1</u>) (law)
06/12/2020		<u>28</u>	Certificate of Mailing by BNC of Order and Notice Notice Date 06/12/2020. (Admin.) (Entered: 06/13/2020)
07/09/2020		<u>29</u>	Report of Rule 26(f) Conference for Plaintiff and Defendants together Filed by Grant E. Schnell on behalf of Select Portfolio Servicing, LLC. (Schnell, Grant)(Related document(s) <u>27</u>) Modified on 7/10/2020 (law).
07/13/2020		<u>30</u>	Order Approving Deadlines. Discovery completed by December 18, 2020. Pretrial Order and all dispositive motions will be filed by January 15, 2021. Service by BNC. Entered on 7/13/2020. (related document(s) <u>29</u>) (law)
07/15/2020		<u>31</u>	Certificate of Mailing by BNC of Order Notice Date 07/15/2020. (Admin.) (Entered: 07/16/2020)
09/18/2020		<u>32</u>	Motion for Leave to Amend <i>Answer to Adversary Complaint</i> filed by Chandler P. Thompson on behalf of Newrez, LLC. (Attachments: # <u>1</u> Exhibit A – Shellpoint's Amended Answer to Adversary Complaint and Counterclaim) (related document(s) <u>11</u>) (Thompson, Chandler) Modified on 9/21/2020 (jlc).
09/23/2020		<u>33</u>	Plaintiff's Opposition and Objection to Doc. 32 Defendant Shellpoint's Motion for Leave to Amend Answer to Adversary Complaint filed by Shirley White-Lett . (related document(s) <u>32</u>)(hd)
10/06/2020		<u>34</u>	Order DENYING Motion For Leave to Amend Answer. (Related Doc # <u>32</u>) Service by BNC. Entered on 10/6/2020. (cws)
10/08/2020		<u>35</u>	Certificate of Service of <i>Subpoena Duces Tecum to Linebarger, Goggan, Blair & Sampson, LLP, Custodian of Records</i> Filed by Chandler P. Thompson on behalf of Bank of New York Mellon Corporation, Newrez, LLC. (Thompson, Chandler)
10/08/2020		<u>36</u>	Certificate of Mailing by BNC of Order on Motion to Amend Notice Date 10/08/2020. (Admin.) (Entered: 10/09/2020)
10/15/2020		<u>37</u>	Debtor's Emergency Motion to Quash Subpoena filed by Shirley White-Lett . (hd)

10/15/2020	<u>38</u>	Certificate of Service of <i>Subpoena Duces Tecum</i> to Linebarger, Goggan, Blair & Sampson, LLP, Custodian of Records Filed by Chandler P. Thompson on behalf of Bank of New York Mellon Corporation, Newrez, LLC. (Thompson, Chandler)
10/15/2020	<u>39</u>	Order and Notice of Expedited Telephonic Hearing. Service by BNC. Hearing to be held on 10/20/2020 at 10:00 AM in Courtroom 1402, Atlanta, Entered on 10/15/2020. (related document(s) <u>37</u>) (law)
10/16/2020	<u>40</u>	Response to Debtor's Motion to <i>Quash Subpoena</i> filed by Chandler P. Thompson on behalf of Newrez, LLC. (Attachments: # <u>1</u> Exhibit A – Subpoena to Linebarger, Goggan, Blair & Sampson, LLP, Custodian of Records) (related document(s) <u>37</u>)(Thompson, Chandler) Modified on 10/19/2020 (law).
10/16/2020	<u>41</u>	Motion to Reconsider Order Denying Leave to Amend Answer to Adversary Complaint filed by Chandler P. Thompson on behalf of Newrez, LLC. (Attachments: # <u>1</u> Exhibit A – Magistrate Judge's Report and Recommendation in Civil Case No. 1:17-cv-003385-CC-LTW # <u>2</u> Exhibit B – Third Amended Complaint in Case No. 1:17-cv-03385-CC-LTW # <u>3</u> Exhibit C – Magistrate Judge's Order in Case No. 1:17-cv-03385-CC-LTW) (related document(s) <u>34</u>) (Thompson, Chandler) Modified on 10/19/2020 (law).
10/17/2020	<u>42</u>	Certificate of Mailing by BNC of Order and Notice Notice Date 10/17/2020. (Admin.) (Entered: 10/18/2020)
10/19/2020	<u>43</u>	Debtor's Reply to Response of Shellpoint To: Emergency Motion to Quash Subpoena filed by Shirley White-Lett . (related document(s) <u>40</u>)(rfs)
10/20/2020		Hearing Held re: (related document(s) <u>37</u>) (csh)
10/21/2020	<u>44</u>	Order DENYING Plaintiff's Motion to Quash. As directed during the hearing, Plaintiff and counsel for Newrez shall submit a consensual protective order or, if they are unable to do so, shall submit proposed language, and the Court will enter its own order. (Related Doc # <u>37</u>) Service by BNC. Entered on 10/21/2020. (law)
10/23/2020	<u>45</u>	Certificate of Mailing by BNC of Order on Motion to Quash Notice Date 10/23/2020. (Admin.) (Entered: 10/24/2020)
10/28/2020	<u>46</u>	Certificate of Service of <i>Shellpoint and BNYM's Corp.'s Initial Disclosures</i> Filed by Chandler P. Thompson on behalf of Bank of New York Mellon Corporation, Newrez, LLC. (Thompson, Chandler)
11/06/2020	<u>47</u>	Stipulated Protective Order. Service by BNC. Entered on 11/6/2020. (related document(s) <u>44</u>) (law)
11/08/2020	<u>48</u>	Certificate of Mailing by BNC of Order Notice Date 11/08/2020. (Admin.) (Entered: 11/09/2020)
11/09/2020	<u>49</u>	Certificate of Service of Shellpoint and BNYM Corp.'s First Supplemental Disclosures Filed by Chandler P. Thompson on behalf of Bank of New York Mellon Corporation, Newrez, LLC. (Thompson, Chandler) Modified on 11/10/2020 (law).
11/16/2020	<u>50</u>	ORDERED that the Motion to Reconsider is DENIED as to Defendants request to add any counterclaims to its answer. Further ORDERED that

			the Motion to Reconsider is GRANTED to allow Defendant to amend its responses and defenses as set forth in its proposed answer. Defendant shall have 14 days from entry of this order to file and amended answer consistent with this Order. (Related Doc # <u>41</u>) Service by BNC. Entered on 11/16/2020. (law)
11/16/2020		<u>51</u>	Certificate of Service <i>Shellpoint And BONYM Corp.'s Certificate of Service of Discovery</i> Filed by Chandler P. Thompson on behalf of Bank of New York Mellon Corporation, Newrez, LLC. (Thompson, Chandler) Modified on 11/17/2020 (law).
11/17/2020		<u>52</u>	Certificate of Service of <i>Subpoena Duces Tecum to Gregory Daniels</i> Filed by Chandler P. Thompson on behalf of Bank of New York Mellon Corporation, Newrez, LLC. (Thompson, Chandler)
11/17/2020		<u>53</u>	Certificate of Service of Discovery (1) Defendant's First Set of Interrogatories (2) Defendant's First set of Requests for Production of Documents filed by Grant E. Schnell on behalf of Select Portfolio Servicing, LLC. (Schnell, Grant) Modified on 11/18/2020 (law).
11/17/2020		<u>54</u>	Certificate of Service Regarding Plaintiff's First Request for Production of Documents, First Interrogatories, and First Request for Admissions to Defendant Bank of New York Mellon, filed by Shirley White-Lett . (hd)
11/17/2020		<u>55</u>	Certificate of Service Regarding Plaintiff's First Request for Production of Documents, First Interrogatories, and First Request for Admissions to Defendant Select Portfolio Services LLC filed by Shirley White-Lett . (hd)
11/17/2020		<u>56</u>	Certificate of Service Regarding Plaintiff's First Request for Production of Documents, First Interrogatories, and First Request for Admissions to Defendant Shellpoint Nortgage Servicing LLC filed by Shirley White-Lett . (hd)
11/17/2020		<u>57</u>	Certificate of Service Regarding Plaintiff's Responses to Defendants' First Request for Production of Documents, First Interrogatories, and First Request for Admissions filed by Shirley White-Lett . (hd) Modified on 11/18/2020 (law).
11/18/2020		<u>58</u>	Certificate of Mailing by BNC of Order on Motion to Reconsider Notice Date 11/18/2020. (Admin.) (Entered: 11/19/2020)
11/23/2020		<u>59</u>	Amended Answer to Complaint filed by Chandler P. Thompson on behalf of Newrez, LLC. (Thompson, Chandler). Related document(s) <u>11</u> Answer. Modified on 11/23/2020 (ngs).
12/14/2020		<u>60</u>	Certificate of Service Regarding Plaintiff's Response to Defendant Select Portfolio Servicing ("SPS") First Interrogatories and First Request for Production of Documents filed by Shirley White-Lett . (hd)
12/14/2020		<u>61</u>	Certificate of Service Regarding Plaintiff's Response to Defendants' Shellpoint and BNYM Corp's Second Set of Interrogatories filed by Shirley White-Lett . (hd)
12/14/2020		<u>62</u>	Certificate of Service Regarding Plaintiff's Supplemental Response to Defendants' Shellpoint and Bonym Corp's First Interrogatories and First Request for Production filed by Shirley White-Lett . (hd)

12/17/2020	<u>63</u>	Certificate of Service Regarding Plaintiff's Response to Shellpoint and Bnym Corp's Second Set of Requests for Production of Documents to Shirley White-Lett filed by Shirley White-Lett . (hd)
12/18/2020	<u>64</u>	Shellpoint and BONYM Corp.'s Certificate of Service of Objections and Responses to Plaintiff's First Request for Production of Documents, First Set of Interrogatories and Request for Admissions Filed by Chandler P. Thompson on behalf of Bank of New York Mellon Corporation, Newrez, LLC. (Thompson, Chandler) Modified on 12/21/2020 (ngs).
12/18/2020	<u>65</u>	Certificate of Service of <i>Discovery Responses to Plaintiff</i> Filed by Grant E. Schnell on behalf of Select Portfolio Servicing, LLC. (Schnell, Grant)
12/23/2020	<u>66</u>	Certificate of Service Regarding Plaintiff's Supplemental Response to Defendants' Shellpoint and BNYM Corp's Request for Production filed by Shirley White-Lett . (aam)
12/23/2020	<u>67</u>	Certificate of Service Regarding Plaintiff's Supplemental Response to Defendant Select Portfolio Servicing Request for Production Filed by Shirley White-Lett . (aam)
12/28/2020	<u>68</u>	Certificate of Service Regarding Plaintiff's Further Supplemental Production of Documents to Defendants' Shellpoint and BNYM Corp's Request for Production Filed by Shirley White-Lett . (hd) (Entered: 12/29/2020)
12/28/2020	<u>69</u>	Certificate of Service Regarding Plaintiff's Further Supplemental Production of Documents to Select Portfolio Servicing, LLC's First Request for Production of Documents Filed by Shirley White-Lett . (hd) (Entered: 12/29/2020)
12/28/2020	<u>70</u>	Certificate of Service Regarding Corrective: Plaintiff's Supplemental Response to Defendants' Shellpoint and BNYM Corp's First Interrogatories and First Request for Production Filed by Shirley White-Lett . (hd) Modified on 12/30/2020 (ngs). (Entered: 12/29/2020)
12/28/2020	<u>71</u>	Certificate of Service Regarding Corrective Plaintiff's Response to Defendant Select Portfolio Servicing's First Interrogatories and First Request for Production Filed by Shirley White-Lett . (hd) Additional attachment(s) added on 1/11/2021 (hd). (Entered: 12/29/2020)
01/11/2021	<u>72</u>	Plaintiff's Motion for Summary Judgment and Supporting Memorandum of Law filed by Shirley White-Lett . (rfs)
01/11/2021	<u>73</u>	Affidavit Regarding Plaintiff's Statement of Material Facts Not Genuinely Disputed in Support of Summary Judgment Filed by Shirley White-Lett . (related document(s) <u>72</u>) (rfs)
01/13/2021	<u>74</u>	Defendants' Motion to Modify Case Schedule filed by Grant E. Schnell on behalf of Select Portfolio Servicing, LLC and NewRez, LLC, d/b/a Shellpoint Mortgage Servicing. (Attachments: # <u>1</u> Exhibit A – Proposed Order) (related document(s) <u>30</u>) (Schnell, Grant) Modified on 1/14/2021 (law).
01/15/2021	<u>75</u>	Plaintiff's Objection to Motion for Extension of Scheduling Order Deadlines filed by Shirley White-Lett . (related document(s) <u>74</u>) (rfs)
01/19/2021	<u>76</u>	

			Amended Plaintiff's Objections and Response to Motion for Extension of Scheduling Order Deadlines filed by Shirley White-Lett . (related document(s) <u>74</u>)(hd)
01/29/2021		<u>77</u>	Motion for Summary Judgment filed by Chandler P. Thompson on behalf of Bank of New York Mellon Corporation. (Attachments: # <u>1</u> Exhibit A – The Bank of New York Mellon Corporation's Statement of Material Facts Supporting Its Motion for Summary Judgment # <u>2</u> Exhibit B – BoNYMs Delaware Division of Corporations Entity Details – SMS(White-Lett)000481 # <u>3</u> Exhibit C – Bloomberg Company Report – SMS(White-Lett 000486–000539) # <u>4</u> Exhibit D – NY Department of Financial Services –Who We Supervise – SMS(White-Lett000486–539) # <u>5</u> Exhibit E – Institution Profile – National Information Center # <u>6</u> Exhibit F – Plaintiff's Response to Shellpoint and BNYM Corp.'s Second Set of Requests for Production of Documents to Shirley White-Lett # <u>7</u> Pleading The Bank of New York Mellon Corporation's Statement of Material Facts Supporting Its Motion for Summary Judgment) (Thompson, Chandler)
02/03/2021		<u>78</u>	Motion for Summary Judgment filed by Chandler P. Thompson on behalf of Newrez, LLC d/b/a Shellpoint Mortgage Servicing. (Attachments: # <u>1</u> Exhibit A – Shellpoint Mortgage Servicing's Statement of Material Facts Supporting Its Motion for Summary Judgment # <u>2</u> Exhibit B – Declaration of Shellpoint Mortgage Servicing in Support of Motion for Summary Judgment # <u>3</u> Exhibit B–1 Security Deed # <u>4</u> Exhibit B–2 – Assignment of Security Deed # <u>5</u> Exhibit B–3 – Shellpoint June 2, 2017 Validation of Debt Letter to S. Lett # <u>6</u> Exhibit B–4 – Shellpoint June 7, 2017 Notice of Referral to Foreclosure Letter to S Lett # <u>7</u> Exhibit B–5 – June 13, 2017 S. Lett's Response to Shellpoint # <u>8</u> Exhibit B–6 – July 19, 2017 S. Lett Letter to Shellpoint Enclosing Modification Package # <u>9</u> Exhibit B–7 – July 21, 2017 Shellpoint Letter to S. Lett Regarding Incomplete Application # <u>10</u> Exhibit B–8 – July 26, 2017 Shellpoint Letter to S. Lett Regarding Property in Default # <u>11</u> Exhibit C – Order Granting Defendants' Motion to Dismiss in Case No. 13–1–4212–34 # <u>12</u> Exhibit D – Remittitur in Case No. A15A0815) (Thompson, Chandler) Modified on 2/4/2021 (law).
02/04/2021		<u>79</u>	Plaintiff's Motion to Strike and Response and Objections to Defendant BONYM's Motion for Summary Judgment filed by Shirley White-Lett . (hd)
02/04/2021		<u>80</u>	Joint Motion for Extension of Time to Oppose Plaintiff Shirley White-Lett's Motion for Summary Judgment filed by Chandler P. Thompson on behalf of Bank of New York Mellon Corporation, Newrez, LLC. (related document(s) <u>72</u>) (Thompson, Chandler) Modified on 2/5/2021 (law).
02/08/2021		<u>81</u>	Plaintiff's Objections and Response to Motion for Extension of Time to File Response to Motion for Summary Judgment filed by Shirley White-Lett . (related document(s) <u>80</u>) (rfs)
02/11/2021		<u>82</u>	Order and Notice of Hearing on Defendants Joint Motion For Extension Of Time To Oppose Plaintiff Shirley White-Lett's Motion For Summary Judgment. Service by BNC. Hearing to be held on 3/4/2021 at 10:00 AM in Courtroom 1402, Atlanta, Entered on 2/11/2021. (related document(s) <u>80</u>) (law)
02/11/2021		<u>83</u>	Order and Notice of Hearing on Defendants' Motion to Modify Case Schedule. Service by BNC. Hearing to be held on 3/4/2021 at 10:00 AM in Courtroom 1402, Atlanta, Entered on 2/11/2021. (related

			document(s) <u>74</u>) (law)
02/13/2021		<u>84</u>	Certificate of Mailing by BNC of Order and Notice Notice Date 02/13/2021. (Admin.) (Entered: 02/14/2021)
02/13/2021		<u>85</u>	Certificate of Mailing by BNC of Order and Notice Notice Date 02/13/2021. (Admin.) (Entered: 02/14/2021)
02/18/2021		<u>86</u>	Reply Supporting Defendant's Motion for Summary Judgment i> filed by Chandler P. Thompson on behalf of Bank of New York Mellon Corporation. (related document(s) <u>77</u>)(Thompson, Chandler) Modified on 2/18/2021 (law).
02/18/2021		<u>87</u>	Defendant's Opposition to Plaintiff's Motion for Summary Judgment filed by Chandler P. Thompson on behalf of Bank of New York Mellon Corporation, Newrez, LLC. (Attachments: # <u>1</u> Exhibit A–Shellpoint and BNYM Corp's Response to Plaintiff's Statement of Undisputed Facts and Statement of Facts Genuinely in Dispute # <u>2</u> Exhibit B–Declaration of Shellpoint Supporting Opposition to Letts MSJ # <u>3</u> Exhibit C–November 2017 Loss Mitigation Package # <u>4</u> Exhibit D–Second Amended Complaint in Case No. 13–1–4212–34 # <u>5</u> Exhibit E–Complaint in Case No. 1_17–cv–03385–CC # <u>6</u> Exhibit F–Third Amended Complaint in Case No. 19–1–723–52 # <u>7</u> Exhibit G–Plaintiffs Amended Rule 7001 and 3007(b) Complaint in Case No. 20–06278 # <u>8</u> Exhibit H–Plaintiff's Supplemental Response to Shellpoint and BoNYM First ROGGs and RFPDs # <u>9</u> Exhibit I–BAC–BANA Certificate of Merger # <u>10</u> Exhibit J–Plaintiff's Response to Shellpoints First Set of ROGGs # <u>11</u> Exhibit K–03.05.2020 Deposition Excerpts of Shirley Lett # <u>12</u> Exhibit L–Plaintiff's Responses to Shellpoints First RFPDs – Case No. 20–6031–bem # <u>13</u> Exhibit M–Plaintiff's Responses to Shellpoint and BONYMs First RFAs # <u>14</u> Exhibit N–Gregory Daniels Objections and Response to Subpoena) (related document(s) <u>72</u>)(Thompson, Chandler) Modified on 2/19/2021 (law).
02/19/2021		<u>88</u>	Corrected Certificate of Service of <i>New Rez, Llc D/B/A Shellpoint Mortgage Servicing And The Bank Of New York Mellon Corporation's Opposition to Plaintiff's Motion for Summary Judgment</i> Filed by Chandler P. Thompson on behalf of Bank of New York Mellon Corporation, Newrez, LLC. (related document(s) <u>87</u>) (Thompson, Chandler) Modified on 2/22/2021 (law).
02/25/2021		<u>89</u>	Plaintiff's Reply Memorandum to the Response of Shellpoint Mortgage Servicing, LLC, to Plaintiff's Motion for Summary Judgment filed by Shirley White–Lett . (related document(s) <u>87</u>)(rfs)
02/25/2021		<u>90</u>	Plaintiff's Response and Memorandum in Opposition to Shellpoint Mortgage Servicing's Motion for Summary Judgment filed by Shirley White–Lett . (related document(s) <u>78</u>)(rfs)
02/25/2021		<u>91</u>	Application for Admission Pro Hac Vice, USDC receipt # GAN100127935, (Document is restricted and can only be viewed by Court staff.) filed by Alan M. Hurst on behalf of Newrez, LLC . (rfs)
02/25/2021		<u>92</u>	Motion for Mandatory Exclusion of Declarations of Brittany Gomez and Motion to Strike filed by Shirley White–Lett. (scm)
03/01/2021		<u>93</u>	Order GRANTING Application for Admission Pro Hac Vice. (Related Doc # <u>91</u>) Service by BNC. Entered on 3/1/2021. (law)

03/03/2021		<u>94</u>	Certificate of Mailing by BNC of Order on Application for Admission Pro Hac Vice Notice Date 03/03/2021. (Admin.) (Entered: 03/04/2021)
03/04/2021			Hearing Held re: (related document(s) <u>75</u> , <u>80</u>) (csh)
03/05/2021		<u>95</u>	Order GRANTING Joint Motion for Extension of Time to Oppose Plaintiff's Motion for Summary Judgment. Defendants may respond on or before March 12, 2021. (Related Doc # <u>80</u>) Service by BNC. Entered on 3/5/2021. (law)
03/05/2021		<u>96</u>	Order GRANTING Motion to Modify Case Schedule. Defendants SHALL file any dispositive motions in this matter on or before March 12, 2021. Further ORDERED that the parties SHALL submit the Pretrial Order to the Court within thirty(30) days after the Courts ruling on all dispositive motions in this matter.(Related Doc # <u>74</u>) Service by BNC. Entered on 3/5/2021. (law)
03/07/2021		<u>97</u>	Certificate of Mailing by BNC of Order on Motion to Extend Time Notice Date 03/07/2021. (Admin.) (Entered: 03/08/2021)
03/07/2021		<u>98</u>	Certificate of Mailing by BNC of Order on Motion to Amend Notice Date 03/07/2021. (Admin.) (Entered: 03/08/2021)
03/12/2021		<u>99</u>	Motion for Summary Judgment <i>and Opposition to Plaintiff's Motion for Summary Judgment</i> filed by Grant E. Schnell on behalf of Select Portfolio Servicing, LLC. (Attachments: # <u>1</u> Exhibit Decl. In Support # <u>2</u> Exhibit Exhibits in Support) (related document(s) <u>72</u>) (Schnell, Grant) Modified on 3/15/2021 (law).
03/12/2021		<u>100</u>	Response to Plaintiff's Statement of Undisputed Facts and Statement of Facts Genuinely in Dispute filed by Grant E. Schnell on behalf of Select Portfolio Servicing, LLC. (related document(s) <u>73</u>)(Schnell, Grant). Modified on 3/15/2021 (law).
03/15/2021		<u>101</u>	Shellpoint Mortgage Servicing's Opposition to Plaintiff's Rule 37(c)(1) Motion for Mandatory Exclusion of Declarations of Brittany Gomez and Motion to Strike Pursuant to Fed. R. Civ. P. 12(f) filed by Chandler P. Thompson on behalf of Newrez, LLC. (Attachments: # <u>1</u> Exhibit A – Declaration of Brittney Gomez Opposing Shirley White–Lett's Rule 37(c)(1) Motion for Mandatory Exclusion of Declarations of Brittany Gomez and Motion to Strike) (related document(s) <u>92</u>)(Thompson, Chandler) Modified on 3/16/2021 (law).
03/15/2021		<u>102</u>	Shellpoint Mortgage Servicing's Reply Supporting Its Motion for Summary Judgment filed by Chandler P. Thompson on behalf of Newrez, LLC. (Attachments: # <u>1</u> Exhibit A – Certified Copy of Complaint and Demand for Jury Trial – Case No. 13–1–4212 # <u>2</u> Exhibit B – Certified Copy of Third Amended Complaint – Case No. 19–1–723–52 # <u>3</u> Exhibit C – Plaintiff's Response to Shellpoint and BoNYM's RFPD No. 31 # <u>4</u> Exhibit D – Declaration of C. Thompson iso Shellpoint's Reply Supporting Its Motion for Summary Judgment w.attached Exhibit D–1 01.03.2021 Discovery Correspondence # <u>5</u> Exhibit E – Declaration of D. Layne in Support of Shellpoint's Reply in Support of Motion for Summary Judgment w.Exhibits E–1 and E–2 attached # <u>6</u> Exhibit F – White–Lett 000151 – White–Lett 000180 # <u>7</u> Exhibit G – ECF No. 1 – Complaint in Case No. 117–cv–03385–CC) (related document(s) <u>78</u>)(Thompson, Chandler) Modified on 3/16/2021 (law).
03/25/2021		<u>103</u>	

			Plaintiff's Rule 37(c)(1) Motion for Mandatory Exclusion Rule 37(d) Motion for Sanctions; Rule 12(f) Motion to Strike and Plaintiff's Response to Motion for Summary Judgment of Select Portfolio Servicing and Reply to Select Portfolio Servicing's Response to Plaintiff's Motion for Summary Judgment filed by Shirley White-Lett . (related document(s) <u>102</u>) (rfs)
04/08/2021		<u>104</u>	Response to Plaintiff's Motion for Exclusion, Motion to Strike, and Motion for Sanctions and Reply to Plaintiff's Response to Motion for Summary Judgment filed by Grant E. Schnell on behalf of Select Portfolio Servicing, LLC. (related document(s) <u>103</u>)(Schnell, Grant) Modified on 4/9/2021 (law).
05/06/2021		<u>105</u>	ORDERED that Plaintiff SHALL PROVIDE full, unaltered and legible copies of the statements with payment due dates of March 1, 2014 through October 1, 2016, inclusive, and of the letters dated July 21 and 26, 2017 and any enclosures thereto to the Court ON OR BEFORE FOURTEEN DAYS from the entry of this Order. If Plaintiff fails to supplement the documents submitted in support of her Motion for Summary Judgment said motion may be denied without further notice or hearing. (Related Doc # <u>72</u>) Service by BNC. Entered on 5/6/2021. (law)
05/06/2021		<u>106</u>	Order DENYING Motion for Mandatory Exclusion of Declarations of Brittany Gomez and Motion to Strike Pursuant to Fed. R. Civ. P. 12(f). (Related Doc # <u>92</u>) Service by BNC. Entered on 5/6/2021. (law)
05/06/2021		<u>107</u>	Order DENYING The Bank of New York Mellon Corporation's Motion for Summary Judgment. Similarly, Plaintiff's request to Strike the Motion is Denied. (Related Doc # <u>77</u> , <u>79</u>) Service by BNC, Entered on 5/6/2021. (law)
05/08/2021		<u>108</u>	Certificate of Mailing by BNC of Order on Motion to Strike Notice Date 05/08/2021. (Admin.) (Entered: 05/09/2021)
05/08/2021		<u>109</u>	Certificate of Mailing by BNC of Order on Motion to Summary Judgment Notice Date 05/08/2021. (Admin.) (Entered: 05/09/2021)
05/08/2021		<u>110</u>	Certificate of Mailing by BNC of Order on Motion to Summary Judgment Notice Date 05/08/2021. (Admin.) (Entered: 05/09/2021)
05/18/2021		<u>111</u>	Plaintiff's Notice of Filing Document Copies filed by Shirley White-Lett . (related document(s) <u>72</u> , <u>105</u>) (rfs)
08/04/2021		<u>112</u>	Order DENYING Plaintiff's Motion or Mandatory Exclusion, Rule 37(d) Motion for Sanctions, and Rule 12(f) Motion to Strike. Further Ordered that SPS is directed to produce to Plaintiff all documents referenced in its responses to Plaintiff's discovery requests no later than 10 days from the date of entry of this Order; Further Ordered that Discovery between Plaintiff and SPS shall be reopened for 45 days commencing on the date that is 10 days after the date of entry of this Order. (Related Doc # <u>103</u>) Service by BNC. Entered on 8/4/2021. (law)
08/06/2021		<u>113</u>	Certificate of Mailing by BNC of Order on Motion for Sanctions Notice Date 08/06/2021. (Admin.) (Entered: 08/09/2021)
08/16/2021		<u>114</u>	Defendant Select Portfolio Servicing, Inc.'s Notice of Compliance with Court Order filed by Grant E. Schnell on behalf of Select Portfolio Servicing, LLC. (related document(s) <u>112</u>) (Schnell, Grant) Modified on

			8/17/2021 (law).
08/17/2021		<u>115</u>	Plaintiff's Motion to Amend, Modify and to Reconsider Order (Doc.112) Denying Sanctions and allowing Admission of Certain Documents filed by Shirley White–Lett . (related document(s) <u>112</u>) (aam) Additional attachment(s) added on 8/19/2021 (aam). (Entered: 08/19/2021)
09/01/2021		<u>116</u>	Response to Plaintiff's Motion to Amend, Modify and To Reconsider Order Denying Sanctions and Allowing Admission of Certain Documents filed by Grant E. Schnell on behalf of Select Portfolio Servicing, LLC. (related document(s) <u>115</u>)(Schnell, Grant) Modified on 9/2/2021 (ngs).
09/07/2021		<u>117</u>	Plaintiff's Reply to Response of SPS to Plaintiff's Motion to Amend and to Modify and for Reconsideration filed by Shirley White–Lett . (related document(s) <u>116</u>)(hd)
09/07/2021		<u>118</u>	Motion to Compel and/or Motion for Sanctions filed by Shirley White–Lett . (hd)
09/08/2021		<u>119</u>	ORDERED that Plaintiffs Motion for Summary Judgment Against BONYMC and Shellpoint is DENIED; it is further ORDERED that Shellpoints Motion for Summary Judgment is GRANTED Service by BNC. Entered on 9/8/2021. (related document(s) <u>72</u> , <u>78</u>) (tra)
09/10/2021		<u>120</u>	Certificate of Mailing by BNC of Order Notice Date 09/10/2021. (Admin.) (Entered: 09/11/2021)
09/17/2021		<u>121</u>	Defendant Select Portfolio Servicing Inc.'s Motion for Protective Order filed by Grant E. Schnell on behalf of Select Portfolio Servicing, LLC. (Attachments: # <u>1</u> Exhibit Exh A – Notice to take deposition of Diane Weinberger) (Schnell, Grant) Modified on 9/20/2021 (ngs).
09/17/2021		<u>122</u>	Order Partially Granting Defendant's Motion for Protective Order and Order and Notice of Hearing. Hearing on Defendant's Motion for Protective Order to be held on 10/4/2021 at 11:00 AM via Zoom in Judge Ellis–Monro's Virtual Hearing Room. Entered on 9/17/2021. Service by BNC. (related document(s) <u>121</u>) (ngs)
09/19/2021		<u>123</u>	Certificate of Mailing by BNC of Order Notice Date 09/19/2021. (Admin.) (Entered: 09/20/2021)
09/21/2021		<u>124</u>	Order and Notice of Hearing. Service by BNC. Hearing to be held on 10/4/2021 at 11:00 AM in Courtroom 1402, Atlanta, Entered on 9/21/2021. (related document(s) <u>115</u> , <u>118</u>) (tra)
09/21/2021		<u>125</u>	Defendant Select Portfolio Servicing, Inc.'s Response in Opposition to Plaintiff's Motion to Compel and/or for Sanctions filed by Grant E. Schnell on behalf of Select Portfolio Servicing, LLC. (Attachments: # <u>1</u> Exhibit A # <u>2</u> Exhibit B # <u>3</u> Exhibit C) (related document(s) <u>118</u>)(Schnell, Grant) Modified on 9/22/2021 (ngs).
09/23/2021		<u>126</u>	Motion for Extension of Time to Take the Deposition of Diane Weinberger and Notice of Withdrawal of Prior Notice filed by Shirley White–Lett . (hd)
09/23/2021		<u>127</u>	Amended Declaration of Shirley White–Lett Filed by Shirley White–Lett . (hd)

09/23/2021		<u>128</u>	Certificate of Mailing by BNC of Order and Notice Notice Date 09/23/2021. (Admin.) (Entered: 09/24/2021)
09/29/2021		<u>129</u>	Plaintiff's Reply to the SPS Response to Plaintiff's Motion For Sanctions and/or to Compel filed by Shirley White-Lett . (related document(s) <u>125</u>)(ebjl)
10/08/2021		<u>130</u>	Order Partially Granting and Partially Denying Plaintiffs Motion to Amend, Modify and to Reconsider Order Denying Sanctions and Allowing Admission of Certain Documents, Denying Plaintiffs Motion to Compel and/or for Sanctions, Partially Granting and Partially Denying SPSs Motion for Protective Order, and Granting Plaintiffs Motion for Extension of Time to take the Deposition of Diane Weinberger and Notice of Withdrawal of Prior Notice. Service by BNC. Entered on 10/8/2021. (related document(s) <u>115</u> , <u>116</u> , <u>117</u> , <u>118</u> , <u>121</u> , <u>125</u> , <u>126</u> , <u>129</u>). Modified on 12/1/2021 (ngs).
10/10/2021		<u>131</u>	Certificate of Mailing by BNC of Order Notice Date 10/10/2021. (Admin.) (Entered: 10/11/2021)
10/12/2021		<u>132</u>	Certificate of Service Regarding Plaintiff's Further Requests for Documents and for Inspection of Data Compilation and to Monitor Database Search filed by Shirley White-Lett. Modified text. (hd)
10/26/2021		<u>133</u>	Notice to Take Remote Deposition of Diane Weinberger filed by Shirley White-Lett . (hd) Additional attachment(s) added on 10/27/2021 (hd). (Entered: 10/27/2021)
11/04/2021		<u>134</u>	Certificate of Service of Discovery Filed by Grant E. Schnell on behalf of Select Portfolio Servicing, LLC. (Schnell, Grant) Modified on 11/8/2021 (cws).
11/09/2021		<u>135</u>	Notice to Take Remote Deposition of Select Portfolio Servicing Incorporated Filed by Shirley White-Lett . (hd)
11/10/2021		136	Motion for Protective Order filed by Shirley White-Lett . (hd)
11/11/2021		<u>137</u>	Certificate of Service of Discovery Filed by Grant E. Schnell on behalf of Select Portfolio Servicing, LLC. (Schnell, Grant) Modified on 11/15/2021 (ngs).
11/16/2021		138	Motion to Extend Time to Complete Discovery, Motion to Determine Validity and Sufficiency of Plaintiff's Notice of Deposition of SPS, Motion to Compel SPS to Appear for its Deposition filed by Shirley White-Lett . (hd)
11/19/2021		<u>139</u>	Second Motion for Protective Order filed by Grant E. Schnell on behalf of Select Portfolio Servicing, LLC. (Attachments: # <u>1</u> Exhibit A # <u>2</u> Exhibit B # <u>3</u> Exhibit C # <u>4</u> Exhibit D # <u>5</u> Exhibit E) (related document(s) <u>135</u>) (Schnell, Grant)
11/22/2021		<u>140</u>	Order Partially Granting Second Motion for Protective Order filed by Grant E. Schnell on behalf of Select Portfolio Servicing, LLC and further ORDERED and NOTICE IS HEREBY GIVEN that a hearing on SPSs Motion for Protective Order [Doc. 139] will be held on November 30, 2021, at 11:15 AM, in COURTROOM 1402, UNITED STATES COURTHOUSE, RICHARD B. RUSSELL FEDERAL BUILDING, 75 TED TURNER DRIVE, S.W., ATLANTA, GEORGIA.. Service by BNC.

			Hearing to be held on 11/30/2021 at 11:15 AM in Courtroom 1402, Atlanta, Entered on 11/22/2021. (related document(s) 139) (cws) Modified on 12/1/2021 (ngs).
11/24/2021		141	Defendant Select Portfolio Servicing, Inc's Response in Opposition to Plaintiff's Motion for <i>Protective Order</i> filed by Grant E. Schnell on behalf of Select Portfolio Servicing, LLC. (Attachments: # 1 Exhibit A # 2 Exhibit B) (related document(s) 136)(Schnell, Grant) Modified on 11/26/2021 (tra).
11/24/2021		142	Certificate of Mailing by BNC of Order and Notice Notice Date 11/24/2021. (Admin.) (Entered: 11/25/2021)
11/30/2021		143	Plaintiff's Notice of Filing Original Deposition of Diane Weinberger filed by Shirley White-Lett . (related document(s) 126 , 133) (rfs) Modified on 12/1/2021 (ngs).
11/30/2021		144	Plaintiff's Response to Motion For Protective Order of Select Portfolio Servicing Incorporated filed by Shirley White-Lett . (related document(s) 139)(rfs)
11/30/2021		145	Plaintiff's Motion for Sanctions for Discovery Abuses and Attorney Misconduct And Motion for Rule 54(b) Certificate of Immediate Review in the Event of Denial filed by Shirley White-Lett . (rfs)
11/30/2021			Hearing Held and Continued to be held on 12/16/2021 at 11:15 AM in Courtroom 1402, Atlanta, (related document(s) 136 , 138 , 139) (csh) Modified on 12/10/2021 (csh). (Entered: 12/10/2021)
12/02/2021		146	Order and Notice of Hearing and Response Deadline. ORDERED that to the extent SPS wishes to file responsive pleadings or replies to any of the Motions (Doc. Nos. 136, 138, and 145) and/or previously filed responsive pleadings to the Motions, the deadline to file such optional pleadings is through and including Tuesday, December 14, 2021. Service by BNC. Hearing to be held on 12/16/2021 at 11:15 AM in Courtroom 1402 on Plaintiffs Motion for Protective Order (Doc. No. 13)], Plaintiffs Motion to Extend Time to Complete Discovery, Motion to Determine Validity and Sufficiency of Plaintiff's Notice of Deposition of SPS, Motion to Compel SPS to Appear for its Deposition (Doc. No. 138), and Plaintiffs Motion for Sanctions for Discovery Abuses and Attorney Misconduct And Motion for Rule 54(b) Certificate of Immediate Review in the Event of Denial (Doc. No. 145). (related document(s) 136 , 138 , 139 , 145) (tra) Modified on 12/3/2021 (ngs).
12/02/2021		147	Plaintiff's Motion to Stay Other Pending Rulings Pending A Ruling on Plaintiff's Motion for Sanctions filed by Shirley White-Lett . (ebjl) (Entered: 12/03/2021)
12/04/2021		148	Certificate of Mailing by BNC of Order and Notice Notice Date 12/04/2021. (Admin.) (Entered: 12/05/2021)
12/10/2021			(For Calendaring Purposes Only) Hearing to be held on 12/16/2021 at 11:15 AM in Courtroom 1402, Atlanta, (related document(s) 145) (csh)
12/13/2021		149	Order DENYING Plaintiff's Motion to Stay Other Pending Rulings Pending a Ruling on Plaintiff's Motion for Sanctions. ORDERED and NOTICE IS HEREBY GIVEN that, the parties shall be prepared to go forward on the Second Motion for Protective Order [Doc. 139], Plaintiffs

			Motion for Protective Order [Doc. No. 136] and the Motion to Extend at the Hearing scheduled for December 16, 2021, at 11:15 AM.(Related Doc # <u>147</u>) Service by BNC. Entered on 12/13/2021. (tra)
12/14/2021		<u>150</u>	Transcript regarding Hearing Held 10/04/2021 RE: Plaintiff's Motion to Amend, Modify and to Reconsider Order Denying Sanctions and allowing Admission of Certain Documents,Plaintiff's Motion to Compel and/or Motion for Sanctions and (12 pgs; 2 docs)Defendant Select Portfolio Servicing Inc.'s Motion for Protective Order. The transcript may be viewed at the Bankruptcy Court Clerk's Office or purchased from a transcriber. [For information about how to contact the transcriber, refer to the Court's Transcript Request Procedures page under the General Information tab on the Court's Website] Transcript access will be restricted through 3/14/2022. (related document(s) <u>115</u> , <u>118</u> , <u>121</u>) (ngs)
12/14/2021		<u>151</u>	Defendant Select Portfolio Servicing, Inc.'s Response in Opposition to Plaintiff's Motion for Extension of Time to Complete Discovery filed by Grant E. Schnell on behalf of Select Portfolio Servicing, LLC. (Attachments: # <u>1</u> Exhibit A # <u>2</u> Exhibit B) (related document(s) <u>138</u>)(Schnell, Grant) Modified on 12/15/2021 (ngs).
12/14/2021		<u>152</u>	Defendant Select Portfolio Servicing, Inc.'s Response in Opposition to Plaintiff's Motion for Sanctions for Discovery Abuses and Attorney Misconduct And Motion for Rule 54(b) Certificate of Immediate Review in the Event of Denial filed by Grant E. Schnell on behalf of Select Portfolio Servicing, LLC. (related document(s) <u>145</u>)(Schnell, Grant) Modified on 12/15/2021 (ngs).
12/15/2021		<u>153</u>	Certificate of Mailing by BNC of Order to Stay Proceedings Notice Date 12/15/2021. (Admin.) (Entered: 12/16/2021)
12/17/2021		<u>154</u>	Order Sealing Documents. Any party seeking a copy of the transcript or audio recording must file a motion requesting the same for the Court to consider. Service by BNC. Entered on 12/17/2021. (related document(s) <u>136</u> , <u>138</u> , <u>144</u> , <u>145</u>) (tra) Modified on 12/18/2021 (scm).
12/19/2021		<u>155</u>	Certificate of Mailing by BNC of Order Notice Date 12/19/2021. (Admin.) (Entered: 12/20/2021)
12/23/2021		<u>156</u>	Plaintiff's Amended and Corrected Notice of Filing of Original Deposition filed by Shirley White-Lett . (related document(s) <u>143</u>) (ebjl)
12/27/2021		<u>157</u>	Plaintiff's Amended Response to the Motion For Summary Judgment of Select Portfolio Servicing Inc. filed by Shirley White-Lett . (related document(s) <u>99</u>)(rfs)
12/27/2021		<u>158</u>	Plaintiff's Supplemental Statement of Facts in Opposition to Motion for Summary Judgment of Select Portfolio Servicing Incorporated [Doc.99] Filed by Shirley White-Lett . (related document(s) <u>73</u> , <u>99</u>) (rfs). Modified on 12/28/2021 (ngs).
01/06/2022		<u>159</u>	Order on Plaintiff's Motion for Sanctions for Discovery Abuses and Attorney Misconduct And Motion for Rule 54(b) Service by BNC. Entered on 1/6/2022. (related document(s) <u>145</u>) (tra)
01/08/2022		<u>160</u>	Certificate of Mailing by BNC of Order Notice Date 01/08/2022. (Admin.) (Entered: 01/09/2022)

01/13/2022		<u>161</u>	Transcript regarding Hearing Held 12/16/2021 RE: Plaintiffs motion for a protective order, plaintiffs motion to extend time to complete discovery, motion to determine validity and sufficiency of plaintiffs notice of disposition of SPS, and motion to compel SPS to appear for its disposition, as well as Select Portfolio Servicing's second motion for a protective order, and plaintiffs motion for sanctions for discovery abuses and attorney misconduct, and motion for a Rule 54(b) certificate of immediate review in the event of denial. The transcript may be viewed at the Bankruptcy Court Clerk's Office or purchased from a transcriber. [For information about how to contact the transcriber, refer to the Court's Transcript Request Procedures page under the General Information tab on the Court's Website] Transcript access will be restricted through 4/13/2022. (related document(s) <u>138</u> , <u>139</u> , <u>145</u>) (rf)
01/24/2022		<u>162</u>	Order Denying Motion for Summary Judgment Against Select Portfolio Servicing, Inc. Service by BNC. Entered on 1/24/2022. (related document(s) <u>99</u>) (tra)
01/26/2022		<u>163</u>	Certificate of Mailing by BNC of Order Notice Date 01/26/2022. (Admin.) (Entered: 01/27/2022)
02/07/2022		<u>164</u>	Plaintiff's Motion to Reconsider Order Denying Motion for Summary Judgment filed by Shirley White-Lett . (related document(s) <u>162</u>) (hd)
02/22/2022		<u>165</u>	Defendant Select Portfolio Servicing, Inc.'s Response in Opposition to Plaintiff's Motion for Reconsideration filed by Grant E. Schnell on behalf of Select Portfolio Servicing, LLC. (related document(s) <u>164</u>)(Schnell, Grant) Modified on 2/23/2022 (yl).
03/09/2022		<u>166</u>	Plaintiff's Reply to the SPS Response to Motion for Reconsideration of January 24 Order filed by Shirley White-Lett . (related document(s) <u>165</u>)(hd)
03/23/2022		<u>167</u>	ORDERED that the Motion for Reconsideration is DENIED. (Related Doc # <u>164</u>) Service by BNC. Entered on 3/23/2022. (cws)
03/25/2022		<u>168</u>	Certificate of Mailing by BNC of Order on Motion to Reconsider Notice Date 03/25/2022. (Admin.) (Entered: 03/26/2022)
04/20/2022		<u>169</u>	Plaintiff's Motion for Extension of Time to File Consolidated Pretrial Order filed by Shirley White-Lett . (ebjl)
04/21/2022		<u>170</u>	Notice of to Court of No Opposition to Plaintiff's Motion for Extension of Time to File Consolidated Pretrial Order filed by Grant E. Schnell on behalf of Select Portfolio Servicing, LLC. (related document(s) <u>169</u>) (Schnell, Grant)
04/21/2022		<u>171</u>	Order GRANTING Plaintiff's Motion for Extension of Time to File Consolidated Pretrial Order. ORDERED that the Motion is GRANTED and all parties shall have through and including May 13th, 2022 to file their consolidated pretrial order. (Related Doc # <u>169</u>) Service by BNC. Entered on 4/21/2022. (rf)
04/23/2022		<u>172</u>	Certificate of Mailing by BNC of Order on Motion to Extend Time Notice Date 04/23/2022. (Admin.) (Entered: 04/24/2022)
05/13/2022		<u>173</u>	Motion to Extend Time to to File the Consolidated Pretrial Order filed by Alan Michael Hurst on behalf of Bank of New York Mellon Corporation.

			(Hurst, Alan)
05/13/2022		<u>174</u>	Plaintiff's Motion for Order Permitting the Parties to File Their Own Pretrial Proposals Separately for Consolidation by the Court filed by Shirley White-Lett . (hd) (Entered: 05/16/2022)
05/16/2022		<u>175</u>	Order and Notice Hearing to be held on 5/19/2022 at 02:00 PM in Courtroom 1402, Atlanta. The Hearing will be conducted via Zoom in Judge Ellis-Monros Virtual Hearing Room, which can be accessed through the Virtual Hearing Room link on Judge Ellis-Monros webpage. Service by BNC. Entered on 5/16/2022. (related document(s) <u>173</u> , <u>174</u>) (cws)
05/18/2022		<u>176</u>	Certificate of Mailing by BNC of Order and Notice Notice Date 05/18/2022. (Admin.) (Entered: 05/19/2022)
05/23/2022		<u>177</u>	Order on Pretrial Order deadline. ORDERED that the parties consolidated pretrial order shall be filed by close of business on Monday, May 23, 2022. (Related Doc # <u>173</u>) Service by BNC. Entered on 5/23/2022. (cws)
05/24/2022		<u>178</u>	Stipulation <i>Consolidated Pretrial Order</i> Filed by Grant E. Schnell on behalf of Select Portfolio Servicing, LLC. (Attachments: # <u>1</u> Lett Exhibit List # <u>2</u> SPS Exhibit List # <u>3</u> BoNYM Exhibit List # <u>4</u> Lett Objections to SPS Exhibits # <u>5</u> Lett Objections to BoNYM Exhibits # <u>6</u> BoNYM Objections to Lett Exhibits) (Schnell, Grant)
05/25/2022		<u>179</u>	Certificate of Mailing by BNC of Order on Motion to Extend Time Notice Date 05/25/2022. (Admin.) (Entered: 05/26/2022)
07/29/2022		<u>180</u>	Order and Notice of Pretrial Conference. Service by BNC. Hearing to be held on 8/23/2022 at 10:00 AM in Courtroom 1402, Atlanta, Entered on 7/29/2022. (related document(s) <u>178</u>) (cws)
07/31/2022		<u>181</u>	Certificate of Mailing by BNC of Order and Notice Notice Date 07/31/2022. (Admin.) (Entered: 08/01/2022)
08/23/2022			Hearing Held re: (related document(s) <u>178</u> , <u>180</u>) (csh)
08/24/2022		<u>182</u>	Order and Notice of Trial. Service by BNC. Hearing to be held on 10/27/2022 at 10:00 AM in Courtroom 1402, Atlanta, Entered on 8/24/2022. (related document(s) <u>1</u>) (jlc)
08/26/2022		<u>183</u>	Certificate of Mailing by BNC of Order and Notice Notice Date 08/26/2022. (Admin.) (Entered: 08/27/2022)
09/01/2022		<u>184</u>	Notice of Appearance <i>and Substitution of Counsel</i> filed by Philip James George on behalf of Select Portfolio Servicing, LLC. (George, Philip)
10/03/2022		<u>185</u>	Affidavit of Service of Subpoena to Appeal and Testify filed by Shirley White-Lett. (scm)
10/03/2022		<u>186</u>	Expedited Motion for Determination of Witness Fees and Expenses and/or for Alternative Method of Witness Appearance for Trial filed by Shirley White-Lett. (scm)
10/03/2022		<u>187</u>	Plaintiff's Exhibit list filed by Shirley White-Lett . (Exhibits 1-13: <u>1</u> , <u>10</u> , <u>26</u> , <u>72</u> , <u>73</u> , <u>77</u> , <u>79</u> , <u>99</u> , <u>100</u> , <u>111</u> , <u>127</u> , <u>156</u> , <u>158</u>) (scm) Additional

			attachment(s) added on 10/3/2022 (scm).
10/03/2022		<u>188</u>	Plaintiff's Omnibus Motion in Limine as to Defendant SPS and the Bank of New York Mellon Corp. filed by Shirley White-Lett. (scm).
10/03/2022		<u>189</u>	Witness List Filed by Philip James George on behalf of Select Portfolio Servicing, LLC. (related document(s) <u>182</u>) (George, Philip)
10/03/2022		<u>190</u>	Exhibit list Filed by Philip James George on behalf of Select Portfolio Servicing, LLC. (Attachments: # <u>1</u> Exhibit SPS 1 # <u>2</u> Exhibit SPS 2 # <u>3</u> Exhibit SPS 3 # <u>4</u> Exhibit SPS 4 # <u>5</u> Exhibit SPS 5 # <u>6</u> Exhibit SPS 6 # <u>7</u> Exhibit SPS 7 # <u>8</u> Exhibit SPS 8) (related document(s) <u>182</u>) (George, Philip)
10/03/2022		<u>191</u>	Witness List Filed by Alan Michael Hurst on behalf of Bank of New York Mellon Corporation. (Hurst, Alan)
10/03/2022		<u>192</u>	Exhibit list Filed by Alan Michael Hurst on behalf of Bank of New York Mellon Corporation. (Hurst, Alan)
10/07/2022		<u>193</u>	Motion to Quash <i>Plaintiff's Trial Subpoenas</i> filed by Philip James George on behalf of Select Portfolio Servicing, LLC. (Attachments: # <u>1</u> Exhibit A – Georgia Corporations Division Business Search # <u>2</u> Exhibit B – Unsigned Subpoena # <u>3</u> Exhibit C – Signed Subpoena # <u>4</u> Exhibit D – Email Exchange) (George, Philip)
10/10/2022		<u>194</u>	Motion to Continue the October 27, 2022 Trial and to allow SPS's witness to appear remotely via zoom filed by Philip James George on behalf of Select Portfolio Servicing, LLC. (Attachments: # <u>1</u> Exhibit A – Email Exchange) (George, Philip) Modified on 10/12/2022 (cws).
10/11/2022		<u>195</u>	Objection <i>To Plaintiff Shirley White-Lett's Exhibits</i> filed by Alan Michael Hurst on behalf of Bank of New York Mellon Corporation. (related document(s) <u>187</u>) (Hurst, Alan)
10/11/2022		<u>196</u>	Plaintiff's Motion for Leave to File Witness List filed by Shirley White-Lett. (hd)
10/11/2022		<u>197</u>	Plaintiff's Proposed Findings of Fact and Conclusions of Law Filed by Shirley White-Lett. (hd)
10/11/2022		<u>198</u>	Objections to Plaintiff Shirley White-Lett's Exhibit List Filed by Philip James George on behalf of Select Portfolio Servicing, LLC. (related document(s) <u>187</u>) (George, Philip) Modified on 10/12/2022 (cws).
10/11/2022		<u>199</u>	Motion in Limine filed by Philip James George on behalf of Select Portfolio Servicing, LLC. (George, Philip)
10/11/2022		<u>200</u>	Proposed Findings of Fact and Conclusions of Law. Filed by Philip James George on behalf of Select Portfolio Servicing, LLC. (George, Philip)
10/11/2022		<u>201</u>	Motion in Limine <i>Regarding Records of Corporate Structure</i> filed by Alan Michael Hurst on behalf of Bank of New York Mellon Corporation. (Hurst, Alan)
10/11/2022		<u>202</u>	Proposed Findings of Fact and Conclusions of Law. Filed by Alan Michael Hurst on behalf of Bank of New York Mellon Corporation.

			(Hurst, Alan)
10/12/2022		<u>203</u>	ORDERED that the Motion is GRANTED, and the witness list attached to the Motion shall be deemed filed. (Related Doc # <u>196</u>) Service by BNC. Entered on 10/12/2022. (cws)
10/12/2022			Hearing on Select Portfolio Servicing, LLCs Motion to Quash Plaintiff's Trial Subpoenas and Motion to Continue the October 27, 2022 Trial and to allow SPS's witness to appear remotely via zoom to be held on 10/12/2022 at 03:30 PM via Judge Ellis-Monro's Virtual Hearing Room (related document(s) <u>193, 194</u>) (csh)
10/14/2022		<u>204</u>	Order DENYING as Moot Motion Regarding Witness Fees (Related Doc # <u>186</u>) GRANTING Motion to Quash (Related Doc # <u>193</u>) and GRANTING Motion to Continue. The Court will reschedule the trial by separate order. (Related Doc # <u>194</u>) Service by BNC. Entered on 10/14/2022. (ngs)
10/14/2022		<u>205</u>	Certificate of Mailing by BNC of Order on Motion to Amend Notice Date 10/14/2022. (Admin.) (Entered: 10/15/2022)
10/16/2022		<u>206</u>	Certificate of Mailing by BNC of Order on Motion to Compel Notice Date 10/16/2022. (Admin.) (Entered: 10/17/2022)
10/17/2022		<u>207</u>	Defendant Select Portfolio Servicing, Inc.'s Response to Plaintiff's Omnibus Motion in Limine as to Defendant SPS ad The Bank New York Mellon Corp. Filed by Philip James George on behalf of Select Portfolio Servicing, LLC. (related document(s) <u>188</u>) (George, Philip) Modified on 10/18/2022 (yl).
10/17/2022		<u>208</u>	The Bank of New York Mellon Corp.'s Opposition to Plaintiff's Motion <i>in Limine as to Defendants SPS and The Bank of New York Mellon Corps.</i> filed by Alan Michael Hurst on behalf of Bank of New York Mellon Corporation. (related document(s) <u>188</u>)(Hurst, Alan) Modified on 10/18/2022 (yl).
10/24/2022		<u>209</u>	Order and Noticed of Rescheduled Trial. Service by BNC. Hearing to be held on 12/1/2022 at 10:00 AM in Courtroom 1402, Atlanta, Entered on 10/24/2022. (related document(s) <u>1</u>) (cws)
10/26/2022		<u>210</u>	Certificate of Mailing by BNC of Order and Notice Notice Date 10/26/2022. (Admin.) (Entered: 10/27/2022)
10/31/2022		<u>211</u>	Order and Notice of Rescheduled Trial. Service by BNC. Hearing to be held on 12/15/2022 at 10:00 AM in Courtroom 1402, Atlanta. Objections and Finds of Fact and Conclusions of Law are due by October 11, 2022. Entered on 10/31/2022. (related document(s) <u>1, 209</u>) (cws)
11/02/2022		<u>212</u>	Certificate of Mailing by BNC of Order and Notice Notice Date 11/02/2022. (Admin.) (Entered: 11/03/2022)
12/01/2022		<u>213</u>	Order GRANTING IN PART AND DENYING IN PART Plaintiff's Motion in Limine (Related Doc # <u>188</u>), and GRANTING Select Portfolio Servicing, LLC's Motion in Limine (Related Doc # <u>199</u>). Service by BNC. Entered on 12/1/2022. (scm)
12/01/2022		<u>214</u>	Order DENYING Motion in Limine, without prejudice (Related Doc # <u>201</u>). Service by BNC. Entered on 12/1/2022. (scm)

12/02/2022		<u>215</u>	Notice of Settlement filed by Alan Michael Hurst on behalf of Bank of New York Mellon Corporation. (Hurst, Alan)
12/03/2022		<u>216</u>	Certificate of Mailing by BNC of Order on Motion in Limine Notice Date 12/03/2022. (Admin.) (Entered: 12/04/2022)
12/03/2022		<u>217</u>	Certificate of Mailing by BNC of Order on Motion in Limine Notice Date 12/03/2022. (Admin.) (Entered: 12/04/2022)
12/14/2022		<u>218</u>	Stipulation <i>Stipulated Dismissal of Claims Against BNYM CORP.</i> Filed by Alan Michael Hurst on behalf of Bank of New York Mellon Corporation. (Hurst, Alan)
12/15/2022			Hearing Held. Testimony given by Diane Weinberger and Shirley White-Lett. Plaintiff's exhibits 5 and 9 with exceptions and Select Portfolio Services' exhibit 5 with exceptions were admitted. (related document(s) <u>1</u> , <u>211</u>) (csh) (Entered: 12/22/2022)
12/30/2022		<u>219</u>	Motion for Judgment filed by Shirley White-Lett . (jcm)
01/11/2023		<u>220</u>	Response to Motion <i>for Judgment Pursuant to Rule 52(C) of Federal Rules of Civil Procedure</i> filed by Philip James George on behalf of Select Portfolio Servicing, LLC. (related document(s) <u>219</u>)(George, Philip)
01/26/2023		<u>221</u>	Transcript regarding Hearing Held 12/15/2022 RE: Trial. The transcript may be viewed at the Bankruptcy Court Clerk's Office or purchased from a transcriber. [For information about how to contact the transcriber, refer to the Court's Transcript Request Procedures page under the General Information tab on the Court's Website] Transcript access will be restricted through 4/26/2023. (related document(s) <u>1</u>) (ngs)
01/27/2023		<u>222</u>	Plaintiff's Reply Re: SPS's Response to Plaintiff's Motion For Judgment Pursuant to Rule 52(c) of Federal Rules of Civil Procedure filed by Shirley White-Lett . (related document(s) <u>220</u>)(rfs)
02/27/2023		<u>223</u>	Opinion. Select Portfolio Servicing, LLC is entitled to entry of Judgment in its favor. The Court will enter a separate judgment in Select Portfolio Servicing, LLCs favor. Service by BNC. Entered on 2/27/2023. (related document(s) <u>1</u>) (jlc)
02/27/2023		<u>224</u>	Judgment for Select Portfolio Servicing, LLC. ORDERED that Plaintiffs request for relief under Rule 52(c) is DENIED; it is further ORDERED that Plaintiffs request to exclude certain testimony of Weinberger is DENIED. Service by BNC Entered on 2/27/2023. (related document(s) <u>1</u> , <u>223</u>) (jlc)
03/01/2023		<u>225</u>	Certificate of Mailing by BNC of Order Notice Date 03/01/2023. (Admin.) (Entered: 03/02/2023)
03/01/2023		<u>226</u>	Certificate of Mailing by BNC of Judgment Notice Date 03/01/2023. (Admin.) (Entered: 03/02/2023)
03/14/2023		<u>227</u>	Plaintiff's Motion For Extension of Deadline To File Notice of Appeal filed by Shirley White-Lett . (rfs)
03/21/2023		<u>228</u>	Select Portfolio Servicing, Inc.s Response in Opposition to Plaintiff's Motion for Extension of Deadline to File Notice of Appeal filed by Philip

			James George on behalf of Select Portfolio Servicing, LLC. (related document(s) <u>227</u>)(George, Philip) Modified on 3/22/2023 (mrw).
03/27/2023		<u>229</u>	Plaintiff's Reply To The SPS Response To Her Motion For Extension of Deadline filed by Shirley White–Lett . (related document(s) <u>228</u>)(rfs)
04/04/2023		<u>230</u>	ORDERED that the Motion is GRANTED and the time for Plaintiff to file a Notice of Appeal of the February 27, 2023 Opinion and Judgment and other prior interlocutory orders is extended to fourteen (14) days from entry of this Order; it is further ORDERED that Plaintiff's request to allow the current Notice of Appeal to be accepted is DENIED because it does not comply with Fed. R. Bankr. P. 8003(a)(3); Plaintiff is directed to timely file a Notice of Appeal. (Related Doc # <u>227</u>) Service by BNC. Entered on 4/4/2023. (mrw)
04/06/2023		<u>231</u>	Certificate of Mailing by BNC of Order on Motion to Extend Time Notice Date 04/06/2023. (Admin.) (Entered: 04/07/2023)
04/17/2023		<u>232</u>	Notice of Appeal to District Court, Fee \$ 298 Receipt Number: None, Amount Paid \$ None, filed by Shirley White–Lett . Appellant Designation due by 5/1/2023, submission by USBC to USDC due by 5/17/2023, (related document(s) <u>224</u>) (rfs). Related document(s) <u>223</u> 01–Order. Modified on 4/17/2023 (mrw).
04/17/2023		<u>233</u>	Notice of deficient filing re: Missing Fee, \$298. Service by BNC. (related document(s) <u>232</u>) (mrw)
04/17/2023		<u>234</u>	Notification of Appeal Requirements (related document(s) <u>232</u>) (mrw)